

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of School District No. 35 (Gallatin Gateway), Gallatin County, Montana (the "District"), hereby certify that the attached resolution is a true copy of a Resolution entitled: "A RESOLUTION OF SCHOOL DISTRICT NO. 35 (GALLATIN GATEWAY), GALLATIN COUNTY, SUBMITTING TO THE QUALIFIED ELECTORS OF THE DISTRICT THE QUESTION OF ISSUING GENERAL OBLIGATION SCHOOL BUILDING BONDS IN ONE OR MORE SERIES IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO SEVEN MILLION AND NO/100 DOLLARS (\$7,000,000.00) FOR THE PURPOSE PAYING THE COSTS OF DESIGNING, CONSTRUCTING, REMODELING, RENOVATING, EQUIPPING, AND FURNISHING IMPROVEMENTS TO THE GALLATIN GATEWAY SCHOOL FACILITIES TO ACCOMMODATE GROWTH AND ADDRESS SAFETY CONCERNS AND PAYING COSTS ASSOCIATED WITH THE SALE AND ISSUANCE OF THE BONDS" (the "Resolution"), on file in the original records of the District in my legal custody; that the Resolution was duly adopted by the Board of Trustees of the District at a meeting on January 20, 2021, and that the meeting was duly held by the Board of Trustees and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Trustees voted in favor thereof: Aaron Schwieterman, Julie Fleury, Mary Martin, Carissa Paulson, Patti Ringo; voted against the same: None ; abstained from voting thereon: None; or were absent:None.

WITNESS my hand and seal officially this 20th day of January, 2021.



Carrie Fisher

Gallatin Gateway School District Clerk

A RESOLUTION OF SCHOOL DISTRICT NO. 35 (GALLATIN GATEWAY), GALLATIN COUNTY, SUBMITTING TO THE QUALIFIED ELECTORS OF THE DISTRICT THE QUESTION OF ISSUING GENERAL OBLIGATION SCHOOL BUILDING BONDS IN ONE OR MORE SERIES IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO SEVEN MILLION AND NO/100 DOLLARS (\$7,000,000.00) FOR THE PURPOSE PAYING THE COSTS OF DESIGNING, CONSTRUCTING, REMODELING, RENOVATING, EQUIPPING, AND FURNISHING IMPROVEMENTS TO THE GALLATIN GATEWAY SCHOOL FACILITIES TO ACCOMMODATE GROWTH AND ADDRESS SAFETY CONCERNS AND PAYING COSTS ASSOCIATED WITH THE SALE AND ISSUANCE OF THE BONDS

#### RECITALS

WHEREAS, the board of trustees of a school district may issue bonds on the credit of the school district for the purpose of building, altering, repairing, buying, furnishing, equipping, purchasing lands for, and/or obtaining a water supply for a school, teacherage, dormitory, gymnasium, other building, or combination of said buildings for school purposes, upon approval of the electorate of the district; and

WHEREAS, a board is authorized pursuant to Section 20-9-421, M.C.A., to call a bond election by adopting a resolution to that effect; and

WHEREAS, the Board of Trustees (the "Board") of School District No. 35 (Gallatin Gateway), Gallatin County (the "District"), has determined that there should be submitted to the electors of the District qualified to vote at bond elections the question of whether the Board shall be authorized to sell and issue bonds of the District in one or more series in the aggregate principal amount of up to Seven Million and No/100 (\$7,000,000.00) for the purpose of paying the costs of designing, constructing, remodeling, renovating, equipping, and furnishing improvements to the Gallatin Gateway School facilities consisting of the original 1915 school building and all adjacent buildings to accommodate growth and address safety concerns, to include renovating the school facilities to provide a new secure school entrance, additional and improved teaching and administration spaces, access improvements consistent with the Americans with Disabilities Act, and library upgrades; adding a new kitchen, teacher support space, and gymnasium and cafeteria seating; replacing aging systems and infrastructure, including upgrading mechanical, electrical, plumbing, fire alarm, and security systems; installing a fire suppression system; and making various site improvements; related improvements and costs; and paying costs associated with the sale and issuance of the bonds. Each series of the bonds shall be payable semiannually during a term of not more than twenty (20) years, subject to redemption as required by law, and shall bear interest at a rate or rates to be determined by the Board at the time of the sale; and

WHEREAS, pursuant to Section 13-19-104, M.C.A., a school district bond election can be conducted by a mail ballot election; and

WHEREAS, the Board has determined that a mail ballot election conducted in accordance with the provisions of Title 13, Chapter 19, Parts 1-3, M.C.A. (the "Mail Ballot

Act”), is in the best interests of the District and the electors thereof, and notified the County Election Administrator of Gallatin County of its intent to cause the County Election Administrator to conduct a mail ballot election, which notification was not less than seventy days prior to the date of the proposed election; and

WHEREAS, the County Election Administrator will prepare a mail ballot election plan in accordance with the provisions of Section 13-19-205, M.C.A. (the “Mail Ballot Plan”); and

WHEREAS, it is the judgment of the Board that the sum of up to Seven Million and No/100 dollars (\$7,000,000.00) will be necessary to carry out the entire purpose set forth above; and

WHEREAS, the indebtedness to be evidenced by the proposed bonds and all other indebtedness of the District does not exceed the limitation as set forth in Section 20-9-406, M.C.A.; and

WHEREAS, it is the judgment and determination of the Board that each series of bonds issued pursuant to the bond election called for below will be payable during a term of not more than twenty (20) years.

NOW, THEREFORE, BE IT RESOLVED by the Board of the District as follows:

1. Calling Election. The Board of the District hereby calls and directs a special election to be held on the question of issuing the bonds on May 4, 2021, which date is not less than 70 days after the date of passage of this resolution, such election to be conducted by mail ballot pursuant to the provisions of the Mail Ballot Act, for the purpose of voting on the question of whether the Board may sell and issue general obligation school building bonds of the District in one or more series in the aggregate principal amount of up to Seven Million and No/100 Dollars (\$7,000,000.00), for the purpose of paying the costs of designing, constructing, remodeling, renovating, equipping, and furnishing improvements to the Gallatin Gateway School facilities consisting of the original 1915 school building and all adjacent buildings to accommodate growth and address safety concerns, to include renovating the school facilities to provide a new secure school entrance, additional and improved teaching and administration spaces, access improvements consistent with the Americans with Disabilities Act, and library upgrades; adding a new kitchen, teacher support space, and gymnasium and cafeteria seating; replacing aging systems and infrastructure, including upgrading mechanical, electrical, plumbing, fire alarm, and security systems; installing a fire suppression system; and making various site improvements; related improvements and costs; and paying costs associated with the sale and issuance of the bonds. Each series of the bonds shall be payable semiannually during a term of not more than twenty (20) years, subject to redemption as required by law, and shall bear interest at a rate or rates to be determined by the Board at the time of the sale.
2. Estimate of State Advance for School Facilities. Pursuant to Section 20-9-422, M.C.A., the District has requested from the Superintendent of Public Instruction a statement of the estimated amount of state debt service assistance that the Elementary District may receive under Sections 20-9-367 and 20-9-371, M.C.A., for debt service payments on the bonds in the first fiscal year in which a debt service payment is due. Because the District does not currently

qualify for state advance or reimbursement, it is expected that the bonds will not be eligible for state advance/reimbursement.

3. Conduct of Election. All qualified electors of the District shall be entitled to vote at the bond election. Pursuant to Section 20-20-201, M.C.A., the District Clerk is hereby authorized and directed to give notice of the call and details of this election and to provide this resolution to the Gallatin County Election Administrator no less than three (3) days after this resolution is passed. The District Clerk is directed to instruct the Gallatin County Election Administrator to close registration and thereafter prepare printed lists of the electors in the District entitled to vote in the election in the District in the form and manner prescribed by law and consistent with the Mail Ballot Plan. The County Election Administrator shall prepare the ballot and arrange for the printing of the ballot and conduct the election in accordance with all legal requirements.

4. Notice of Election. The County Election Administrator is hereby authorized and requested to cause notice of the call and holding of the election to be given at least three times no earlier than 40 days and no later than 10 days before the election, in the *Bozeman Daily Chronicle*, a newspaper of general circulation in Gallatin County, and the District Clerk is hereby authorized and directed to cause the notice to be posted at three public places in the District, with at least one notice being posted in each ward or precinct in the District, and, if the District has a website, is directed to post notice on the District's website for 10 days prior to the election. The notice of election as published and posted shall read substantially as follows with such completions and additions as may be required or appropriate:

## NOTICE OF SCHOOL DISTRICT BOND ELECTION

NOTICE IS HEREBY GIVEN by the Board of Trustees (the “Board”) of School District No. 35 (Gallatin Gateway), Gallatin County (the “District”), that pursuant to a resolution duly adopted at a meeting of the Board on January 20, 2021, an election of the registered voters of the District will be held by mail ballot election on May 4, 2021 for the purpose of voting on the question of whether the Board may sell and issue general obligation school building bonds of the District in one or more series in the aggregate principal amount of up to Seven Million and No/100 Dollars (\$7,000,000.00), for the purpose of paying the costs of designing, constructing, remodeling, renovating, equipping, and furnishing improvements to the Gallatin Gateway School facilities consisting of the original 1915 school building and all adjacent buildings to accommodate growth and address safety concerns, to include renovating the school facilities to provide a new secure school entrance, additional and improved teaching and administration spaces, access improvements consistent with the Americans with Disabilities Act, and library upgrades; adding a new kitchen, teacher support space, and gymnasium and cafeteria seating; replacing aging systems and infrastructure, including upgrading mechanical, electrical, plumbing, fire alarm, and security systems; installing a fire suppression system; and making various site improvements; related improvements and costs; and paying costs associated with the sale and issuance of the bonds. Each series of the bonds shall bear interest at a rate or rates to be determined at the time of sale and be payable semiannually during a term of not more than twenty (20) years.

The election will be conducted solely by mail ballot. Ballots will be mailed to all eligible registered voters in the District on April 16, 2021, and must be returned by each voter, by mail to the Gallatin County Election Administrator, 311 W. Main Street, Room 210, Bozeman, Montana 59715, or ballots may be delivered in person to the Gallatin County Election Office, 311 W. Main Room 210, in Bozeman, during regular business hours (8:00 a.m. to 5:00 p.m.) weekdays (exclusive of holidays) April 19, 2021 through May 3, 2021.

On Election Day, May 4, 2021, the only place for deposit of voted ballots will be the office of the Gallatin County Election Administrator, which will be open from 7:00 a.m. to 8:00 p.m. All ballots must be in the Gallatin County Election office by 8:00 p.m. on May 4, 2021 in order to be counted. All ballots will be tabulated in accordance with Montana law with the results, if known, expected to be released after 8:00 p.m. on that day.

A qualified voter who will be absent from the District during the time the election is being conducted may:

- (a) vote in person in the office of the Gallatin County Election Administrator as soon as the ballots are available and until noon on April 15, 2021; or
- (b) make a written request prior to noon on May 3, 2021, signed by the applicant and addressed to the office of the Gallatin County Election Administrator requesting the ballot be mailed to an address other than that which appears on the registration records.

An elector may obtain a replacement ballot if his or her ballot is destroyed, spoiled, lost, or not received by the elector, by filling out and mailing, emailing, or faxing back a completed

replacement ballot request form or by personally appearing at the office of the Gallatin County Election Administrator at 311 W. Main Room 210, in Bozeman.

Ballots may be returned in person at the places of deposit listed above, or returned by mail. If returning by mail, please use the then-prevailing first-class-postage price or one Forever Stamp. Postmark date does not apply; ballots returned by mail must be received by the 8:00 p.m. Election Day deadline to be counted.

*Please note, all electors, as defined in MCA 20-20-301, are those who reside within the District and are registered to vote by the close of registration on April 5, 2021.*

For electors who miss the close of registration deadline, such electors may register late at the office of the Gallatin County Election Administrator (311 W. Main Room 210, in Bozeman) from April 6, 2021 until noon on May 3, 2021. Same day voter registration is available for such electors at the office of the County Election Administrator on Election Day, May 4, 2021, from 7:00 a.m. until 8:00 p.m.

DATED this 20th day of January, 2021.

/s/Eric Semerad  
Gallatin County Election Administrator

Publication Dates: April 4, 2021, April 11, 2021, and April 18, 2021

5. Form of Ballot. The ballot shall be printed in substantially the following form:

OFFICIAL BALLOT

SCHOOL DISTRICT NO. 35 (GALLATIN GATEWAY)  
GALLATIN COUNTY, MONTANA

BOND ELECTION TO BE CONDUCTED BY MAIL BALLOT  
ON MAY 4, 2021

INSTRUCTIONS TO VOTERS: Completely fill in the oval using a blue or black ink pen before the words “BONDS—YES” if you wish to vote for the bond issue; if you are opposed to the bond issue, completely fill in the oval using a blue or black ink pen before the words “BONDS—NO.”

Shall the Board of Trustees of School District No. 35 (Gallatin Gateway), Gallatin County, Montana (the “District”), be authorized to sell and issue general obligation bonds of the District in one or more series in the aggregate principal amount of up to Seven Million and No/100 Dollars (\$7,000,000.00), bearing interest at rates to be determined at the time of the sale, payable semiannually, during a term as to each series of bonds of not more than twenty (20) years, for the purpose of paying the costs of designing, constructing, remodeling, renovating, equipping, and furnishing improvements to the Gallatin Gateway School facilities consisting of the original 1915 school building and all adjacent buildings to accommodate growth and address safety concerns, to include renovating the school facilities to provide a new secure school entrance, additional and improved teaching and administration spaces, access improvements consistent with the Americans with Disabilities Act, and library upgrades; adding a new kitchen, teacher support space, and gymnasium and cafeteria seating; replacing aging systems and infrastructure, including upgrading mechanical, electrical, plumbing, fire alarm, and security systems; installing a fire suppression system; and making various site improvements; related improvements and costs; and paying costs associated with the sale and issuance of the bonds?

BONDS – YES


BONDS – NO



Passed and approved this 20th day of January, 2021.

  
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Aaron Schwieterman, Chair, Board of Trustees

ATTEST:

  
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Carrie Fisher, District Clerk  
School District No. 35 (Gallatin Gateway)